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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,350	10/16/2001	Catherine L. Amann	03292.101370	6710
66569	7590	09/13/2007	EXAMINER	
FITZPATRICK CELLA (AMEX)			LIU, I JUNG	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			3691	
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			09/13/2007	
			PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/982,350

Applicant(s)

AMANN ET AL.

Examiner

Marissa Liu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 6-13, 16 and 18-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 6-13, 16 and 18-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. Claims 1, 4, 6-13, 16 and 18-24 are presented for examination. Applicant filed amendment on 5/23/2007 canceling claims 2-3, 5, 14-15, 17 and 25, amending claims 1, 6, 13, 16 and 18-24. Applicant's arguments with respect to claims 1, 4, 6-13, 16 and 18-24 have been considered but are moot in view of the new ground(s) of rejection.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1, 4, 6-13, 16 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al., US Patent Number: 5,220,501 in view of Lowry et al., US Patent Number: 4,864,497.

4. As per claim 1 or 13, Lawlor et al. teaches a system or method for executing a cash payment from a computer network, the system comprising:

~~a payor computing device for transmitting a payment request over the computer network to a P2P server, the a P2P server operative to receive the payment request~~ transmitted over the computer network by a payor computing device and debit a financial instrument specified by a user of the payor computing device, the payor computing device and the P2P server communicating according to a native format of the P2P server (abstract; column 18, lines 19-50, column 21, lines 19-46; where "standard format" is equivalent of "native format"); and

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to receive the payment request and translate the request into the native format of an ATM control server (column 18, lines 19-50; column 19, line 54- column 20, line 6; column 21 , lines 19-46; abstract, where “standard format” is equivalent of “native format”), the ATM control server being operative to generate and transmit payment instructions and a PIN code to an ATM, ~~thereby enabling an~~ to enable the ATM to dispense the payment upon receipt of the PIN code (column 21, lines 19-46).

Lawlor et al. does not teach:

request translation software operative to translate the request;

Lowry et al. teaches:

request translation software operative to translate the request (column 9, lines 62-65).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add request translation software operative to translate the request feature to a system or method for executing a cash payment from a computer network of Lawlor et al. because Lowry et al. teaches that adding the feature helps to provide a means for managing the access to such a common data structure by application programs and to make request into an appropriate format (see column 2, lines 43-45 and column 9, lines 62-65).

5. As per claim 4 or 16, Lawlor et al. and Lowry et al. teach a system or method of claim 1 or 13 described above. Lawlor et al. further teaches system wherein the request translation software is operative to translate the payment request into multiple native formats of a plurality

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of disparate ATM control servers (column 18, lines 19-50, column 19, line 54-column 20, line 6, column 21, lines 19-46; where “standard format” is equivalent of “native format”).

6. As per claim 6 or 18, Lawlor et al. and Lowry et al. teach a system or method of claim 1 or 13 described above. Lawlor et al. further teaches a system wherein the ATM generates and transmits a response that it has received the payment instructions (abstract; column 21, lines 19-45).

7. As per claim 7 or 19, Lawlor et al. and Lowry et al. teach a system or method of claim 6 or 18 described above. Lawlor et al. further teach wherein the request translation software is operative to receive a response from the ATM control server that the ATM has received the payment instructions, to convert the response into a format that is native to that utilized by the P2P server, and transmit the response to the P2P server (abstract; column 18, lines 19-50, column 21, lines 19-46; where “standard format” is equivalent of “native format”).

8. As per claim 8 or 20, Lawlor et al. and Lowry et al. teach a system or method of claim 7 or 19 described above. Lawlor et al. further teach wherein the request translation software translates the response into a format that is native to that utilized by the P2P server (column 18, lines 19-50, column 19, line 54-column 20, line 6, column 21, lines 19-46; where “standard format” is equivalent of “native format”).

9. As per claim 9 or 21, Lawlor et al. and Lowry et al. teach a system or method of claim 7 or 19 above. Lawlor et al. further teaches wherein the P2P sever transmits the response to a payee computing device (column 21, lines 19-46; abstract).

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10. As per claim 10 or 22, Lawlor et al. and Lowry et al. teach a system or method of claim 9 or 21 described above. Lawlor et al. further teaches wherein the response from the ATM control server comprises the PIN code (column 21, lines 19-46; abstract).

11. As per claim 11 or 23, Lawlor et al. and Lowry et al. teach a system or method of claim 10 or 22 described above. Lawlor et al. further teaches the PIN code is transmitted to the payor computing device (column 21, lines 19-46; abstract).

12. As per claim 12 or 24, Lawlor et al. and Lowry et al. teach a system or method of claim 11 or 23 described above. Lawlor et al. further teaches wherein the ATM dispenses an amount specified by the payment instructions in response to the PIN code (column 21, lines 19-46; abstract).

#### *Response to Arguments*

1. Applicant's arguments with respect to claims 1, 4, 6-13, 16 and 18-24 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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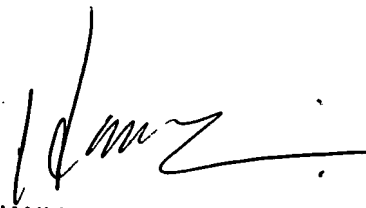
CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Liu whose telephone number is 571-270-1370. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander G. Kalinowski can be reached on 571-272-6711. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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HANI M. KAZIMI  
PRIMARY EXAMINER